IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Moti Lal Meena Vs. State of Rajasthan & Ors.

S.B.CIVIL WRIT PETITION NO.879/2006

DATE OF ORDER :: April 26, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.N.S.Khileri, for the petitioner.
Mr.Manoj Bohra, for Mr.Rajesh Joshi for respondent No.3.
Mr.B.L.Tiwari, Dy.G.A.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner seeks quashing of order Annexure-1 placing him under suspension.

I have heard learned counsel for the parties.

A trap was organized and the petitioner was caught red-handed while accepting illegal gratification being the public servant as at the relevant time, he was holding the post of Supervisor. A criminal case for the offences under sections 7, 13 (1)(d) and 13(2), Prevention of Corruption Act, 1988 was registered against the petitioner. After usual investigation, the

challan was filed against the petitioner for the said offences in the Court of Special Judge, (Prevention of Anti Corruption) Cases, Jodhpur being case No.168/1997. By judgment and order dt. 10.12.1999, the petitioner was convicted for the offences noticed above and was sentenced the various imprisonments as mentioned in the judgment and order Annexure-4. That order came to be challenged by the petitioner by way of a Cr.Appeal being S.B.Cr.Appeal No.796/1999, which came to be dismissed by this Court. A departmental enquiry has been contemplated against the petitioner and during the contemplation of the enquiry, the petitioner was placed under suspension vide Annexure-1. In this view of the matter, in my view, the respondents were justified in placing the petitioner under suspension.

Keeping in view the facts and circumstances of the case noticed above, no case for interference in the writ jurisdiction is made out.

The writ petition has no merit and the same is accordingly dismissed. Stay petition also stands dismissed. There shall be no order as costs.

[H.R.PANWAR],J.

m.asif/-